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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of Harry R. Davis et al. : PATENT APPLICATION  
Serial No.: 10/057,646 : Group Art Unit: 1617  
Filed: January 25, 2002 : Examiner: Shengjun Wang  
For: Combinations of Nicotinic Acid and Derivatives Thereof and Sterol : Atty. Docket No.: CV01379K  
Absorption Inhibitor(s) and :  
Treatments for Vascular Indications :

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

AMENDMENTIntroductory Comments

This Amendment is being submitted in response to the final Office Action mailed on April 29, 2004. Concurrently, Applicants are filing a Request for Continued Examination (RCE).

Applicants herewith petition the Commissioner of Patents and Trademarks to extend the time to reply to the Office Action dated April 29, 2004 for one month from July 29, 2004 to August 29, 2004 and attached hereto is a Petition for Extension of Time authorizing payment of the extension fee from Deposit Account No. 19-0365. Since August 29, 2004 fell on a Sunday, this amendment is being timely filed on August 30, 2004.

Claims 1-4, 6-10, 28-30 and 32 are pending in the application. Claims 11-27, 36-39, 41, 44-46, 51, 54, 56, 59, 61, 64, 66, 69, 72, 75, 78 and 81 have been withdrawn from consideration by the Examiner as being non-elected. Claims 5, 31 and 33-81 were previously canceled without prejudice to filing one or more divisional applications directed to the subject matter thereof. Claim 6 has been canceled without prejudice to filing one or more divisional applications directed to the subject matter thereof.

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Applicants have amended the claims as discussed in detail below.